

MONTANA LEGISLATIVE HISTORY

Chapter 269 1975

Bill H 418 S _____ Original bill & history C

H. Committee on Labor & Employment Relations S. Committee on Labor & Employment Relations

Hearing Date(s) Feb 10 ☒ C

_____ ☐ C

_____ ☐ C

_____ ☐ C

Date Out Feb 10 ☒ C

Hearing Date(s) Feb 28 ☒ C

Mar 05 ☒ C

_____ ☐ C

_____ ☐ C

Mar 05 ☒ C

Did this bill originate in an interim committee? ☐ Yes ☐ No

Committee _____

Report _____

1 *House* BILL NO. *418*
 2 INTRODUCED BY *Mu/AR Kelly*
 3 *Johnson*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 66-2812, R.C.M. 1947, TO CLARIFY THE EXEMPTIONS TO COVERAGE
 6 OF THE ACT PERTAINING TO REGULARLY EMPLOYED MAINTENANCE
 7 ELECTRICIANS AND INDIVIDUALS DOING ELECTRICAL WORK ON THEIR
 8 OWN PROPERTY."
 9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 66-2812, R.C.M. 1947, is amended to
 12 read as follows:

13 "66-2812. Exemptions. (a) (1) ~~Nothing--in--this--act~~
 14 ~~shall--be--deemed--to--apply--to--the--installation--alteration--or~~
 15 ~~repair--of--electrical--signal--or--communications--equipment~~
 16 ~~owned--or--operated--by--a--public--utility--or--a--city.~~ The
 17 licensing or inspection provisions of this act shall not
 18 apply ~~to--persons--making--electrical--installations--on--their~~
 19 ~~own--property--or~~ to regularly employed maintenance
 20 electricians working doing maintenance work on the business
 21 premises of their employer, ~~or--to--regularly--employed~~
 22 ~~maintenance-electricians.~~

23 (b) (2) Nothing in ~~the--article~~ this chapter shall be
 24 construed to require any an individual to hold a license
 25 before while doing electrical work on his own property or

1 residence, provided that said property or residence is
 2 maintained for his own use.

3 (c) ~~--Any-person-may-work-as-an-apprentice-to-a-licensed~~
 4 ~~electrician-but-shall-not-do-any-electrical--wiring--for--or~~
 5 ~~installation-of-electrical-apparatus-or-equipment-for-light,~~
 6 ~~heat,-or-power,-except-with-and-under-the-direct-supervision~~
 7 ~~of-a-licensed-electrician.~~

8 (d) (3) An individual, firm, copartnership, or
 9 corporation may engage in business as an electrical
 10 contractor without an electrician's license if all
 11 electrical work performed by such individual, firm,
 12 copartnership, or corporation is under the direction, and
 13 control, and supervision of a licensed master electrician.

14 (e) (4) Any person who plugs in an electrical
 15 appliance where approved electrical outlet is already
 16 installed shall not be considered as an installer.

17 (f) (5) No provisions of this ~~article~~ act shall in any
 18 manner interfere with, hamper, preclude or prohibit any
 19 vendor of any electrical appliance, from selling, delivering
 20 and connecting any electrical appliance, if the connection
 21 ~~of-said-appliance~~ does not necessitate the installation of
 22 electrical wiring of the structure where ~~said~~ the appliance
 23 is to be connected."

-End-

INTRODUCED BILL

-2-

HB 418

February 10, 1975

HB 418--James Mular, district 85, recommended an amendment to reinsert the stricken material on page 1, lines 13-16, and that the bill would only clarify language. John Hale, Montana Electrical, Professional and Occupational Licensing, said this bill only changes the language for clarification. Subsection 3 was deleted as it repeated material which is in another section. William Christman and Charles Powell, Montana Electrical Board, and Russel Williams, International representative for electricians, supported the bill with the amendments. Baeth asked if this would exclude from law the inspection of maintenance done on their own property and Mular said yes.

HB 514--Joe Brand, district 10, introduced Tom Schneider, Montana Public Employees Association. He said this bill would not increase the leave scale, but would allow an employee to take their leave after 6 months of employment instead of 12 months. He said that persons who commence work in September have to wait almost two years before they can take off during summer vacation months. Proponent Mr. Hickey said that teachers working only 9 months of the year have to wait until fall before the last three months can be accrued before they can take vacation leave. Don Judge, AFL-CIO, said that an employment probationary period is 6 months, and that at this time they should be able to take their vacation leave.

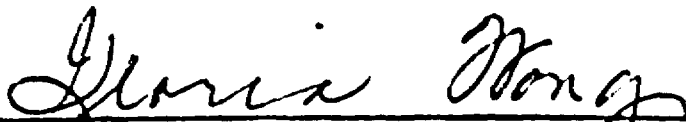
There being no further testimony, the committee went into executive discussion.

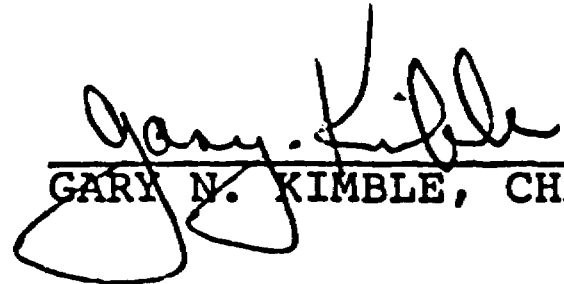
FEDERICO MOVED AS AMENDED DO PASS, McFADDEN SECONDED THE MOTION CARRIED BY ALL.

HB 418--FEDERICO MOVED AS AMENDED DO PASS, SECONDED BY GILLIGAN. CARRIED BY ALL.

HB 514--FEDERICO MOVED DO PASS, SECONDED BY ELLERD. MOTION CARRIED BY ALL.

There being no further business the committee meeting was adjourned to reconvene on February 12, 1975.


Gloria T. Wong, Secretary


GARY N. KIMBLE, CHAIRMAN

NAME JAMES T. MULAR

Bill No. 4/18

ADDRESS 1

Date 2-10-75

WHOM DO YOU REPRESENT? SPONSOR

SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

HOUSE BILL NO. 418

Amend the introduced bill as follows:

1. Amend Section 1, "66.2812" page 1, lines 13 through 16
Following the figure: "(1)"

Insert: "Nothing in this act shall be deemed to apply to the installation, alteration or repair of electrical signal or communications equipment owned or operated by a public utility or a city."

NAME

Wm A. Christman

Bill No.

418

ADDRESS

306 1st Ave. So. Great Falls

Date

2-10-25

WHOM DO YOU REPRESENT?

Local Union 122, IBEW & Mont Nat Elec.

SUPPORT

X

OPPOSE

AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Favor adoption of this Bill

NAME John V. Hall Bill No. HB 418
ADDRESS Leland Bldg. Helena, M.V. Date 2/10/75
WHOM DO YOU REPRESENT? Dept of Professional Licensing - Electrical Bd.
SUPPORT X OPPOSE _____ AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Vote do pass with amendment as submitted

NAME CHARLES S. POWELL Bill No. HB 418
ADDRESS KALISPELL, MONT Date 2/10/75
WHOM DO YOU REPRESENT? STATE ELECTRICAL BOARD
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME

Russell Williams

Bill No.

418

ADDRESS

3021 Harvard

Date

2-10-75

WHOM DO YOU REPRESENT?

J.B.E.W.

SUPPORT

X

OPPOSE

AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

MINUTES OF THE MEETING
LABOR AND EMPLOYMENT RELATIONS COMMITTEE
MONTANA STATE SENATE

February 28, 1975

The nineteenth meeting of the Labor and Employment Relations Committee was called to order by Chairman Lee on the above date in Room 402 of the State Capitol Building at 9:30 a.m.

ROLL CALL: All members present with Senator Mehrens excused.

CONSIDERATION OF HOUSE BILL 418: An act to clarify the exemptions to coverage of the act pertaining to regularly employed maintenance electricians and individuals doing electrical work of their own property.

Representative Mular, appeared before the committee to introduce this bill. This does nothing more than clear up the language of the bill. There is one amendment that we wish to have made and that is on Page 1, section 1, line 24, following the word employer. Insert "Nor shall it apply to line work on the business premises of the employer or for ordinary and customary in-plant or on site installations, modifications, additions, or repairs." The other changes in the bill are mostly repetitious language.

William Christman, of the State Electricians Board, appeared in support of HB 418. This bill makes the language a little more clear and a little more workable. The intention of the law must apply to construction work. Mr. Christman stated that they had met with the people who have some concern in this regard, for example some firemen and through the discussion some of the problems

mostly repetitious language.

William Christman, of the State Electricians Board, appeared in support of HB 418. This bill makes the language a little more clear and a little more workable. The intention of the law must apply to construction work. Mr. Christman stated that they had met with the people who have some concern in this regard, for example some firemen who do electrical work, and through the discussion some of the problems have been worked out.

Bill Potts, of the Local 885 V.P.M.I., appeared before the committee in support of this bill with the amendment. Mr. Potts stated that in his organization there are between 20 and 25 maintenance electricians and with this amendment, this bill will enhance the electrical safety in the state.

Cleo, Schroeder, who is an electrical foreman with Holmer Waldorf Company, appeared in support of HB 418. This is necessary legislation to make the law more clear for electricians.

Bill Sternhagen, of the Anaconda Company, appeared in opposition to the bill but would be in support with the amendment. Mr. Sternhagen stated that they felt the bill was alright the way it was they had not had any problems with it. They will support the amendment.

Discussion was then held by the committee. At this point Senator Norman asked who this bill would affect. Mr. Hale, of the State Electric Board said it would affect the construction business. Mr. Hale then stated that it would be the original construction work it would affect. Senator Olson then asked if a maintenance man who did the electrical work would be hindered from doing this work. Mr. Charles Powell, of the State Electrical Board said the maintenance man would not be affected.

LABOR AND EMPLOYMENT RELATIONS COMMITTEE

44th LEGISLATIVE SESSION 1975

Date _____

NAME	PRESENT	ABSENT	EXCUSED
Senator Robert Lee, Chairman	✓		
Senator Richard Smith, V.Chmn.	✓		
Senator Chet Blaylock	✓		
Senator Mark Etchart	✓		
Senator Frank Hazelbaker	✓		
Senator John Mehrens			✓
Senator Bill Norman	✓		
Senator S. A. Olson	✓		

DATE

2-28-75

COMMITTEE ON LABOR & EMPLOYMENTHOUSE
BILL NO. 418

VISITOR'S REGISTER

NAME	REPRESENTING	BILL NO	Check Support
Chas. Schroeder	Hoerner Waldorf	418	X
H. Christman	State Elec. Board	418	X
Charles J. Korvell	" " "	418	X
John W. Hale	" " "	418	X
Bill Stenbagen	Pyramida Company	418	
Bill M. Potts	Local 885 U.P.M.I.	418	X
Ernest Post	MT State 9 FL-C10	418	

DISPOSITION OF HOUSE BILL 418:
BE CONCURRED IN. Motion carried with Senator Mehrens abstaining and Senator Etchart opposed.

DISPOSITION OF HOUSE BILL 418: Senator Smith moved that the amendment be adopted. (See standing committee report.) Motion carried unanimously. Senator Smith moved that HB 418 AND AS SO AMENDED, BE CONCURRED IN. Motion carried with Senator Etchart opposed.

DISPOSITION OF HOUSE BILL 514: Senator Hazelbaker moved that HB 514 BE CONCURRED IN. Motion carried with Senator Olson opposed.

DISPOSITION OF HOUSE BILL 257: Senator Hazelbaker moved that HB 257 BE CONCURRED IN. Motion carried unanimously.

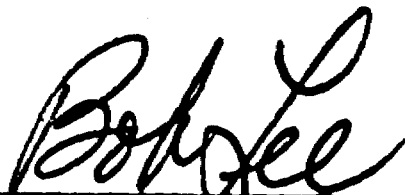
DISPOSITION OF HOUSE BILL 457: Senator Hazelbaker moved that HB 457 BE CONCURRED IN. Motion carried unanimously.

ADJOURN:

There being no further business, the meeting was adjourned at 10:45.

Senate

March 5



Robert E. Lee, Chairman

ROLL CALL

LABOR AND EMPLOYMENT RELATIONS COMMITTEE

44th LEGISLATIVE SESSION 1975

Date

NAME	PRESENT	ABSENT	EXCUSED
Senator Robert Lee, Chairman	/		
Senator Richard Smith, V. Chmn.	/		
Senator Chet Blaylock	/		
Senator Mark Etchart	/		
Senator Frank Hazelbaker	/		
Senator John Mehrens	/		
	/		

44th LEGISLATIVE SESSION 1975

Date

NAME	PRESENT	ABSENT	EXCUSED
Senator Robert Lee, Chairman	✓		
Senator Richard Smith, V. Chmn.	✓		
Senator Chet Blaylock	✓		
Senator Mark Etchart	✓		
Senator Frank Hazelbaker	✓		
Senator John Mehrens	✓		
Senator Bill Norman	✓		
Senator S. A. Olson	✓		

.....March 5,..... 19

MR.PRESIDENT.....

We, your committee on.....LABOR AND EMPLOYMENT RELATIONS.....

.....
having had under consideration.....House..... Bill No....

.....
Respectfully report as follows: That.....House..... Bill No...

Respectfully report as follows: That.....House.....Bill No..

third reading copy, be amended as follows:

1. Amend page 1, section 1, line 20.

Following: "act"

Strike: "shall"

Insert: "do"

2. Amend page 1, section 1, line 24.

Following: "employer"

Insert: "nor do they apply to line work on the business
of the employer or to ordinary and customary in-plant
site installations, modifications, additions, or repairs"

*motion picture with motion picture camera
and film extending Committee
Motion picture was removed*

~~DOX HASSX~~

AND AS SO AMENDED, BE CONCURRED IN

ate March 5, 1975 House Bill No. 418 Time

NAME	YES	NO
Senator Robert Lee, Chairman	✓	
Senator Richard Smith, Vice Chairman	✓	
Senator Chet Blaylock	✓	
Senator Mark Etchart	✓	
Senator Frank Hazelbaker	✓	
Senator John Mehrens	✓	
Senator Bill Norman	✓	
Senator S. A. Olson	✓	

Mary Anne Choquette
Secretary

Robert E. Lee
Chairman

Motion: Senator Smith Moved the Amendment be
Adopted (See Standing Committee Report)
Motion Carried unanimously.

(include enough information on motion--put with yellow copy of committee report.)

Date MARCH 5 1975 HOUSE Bill No. 418 Time

NAME	YES	NO
Senator Robert Lee, Chairman	✓	
Senator Richard Smith, Vice Chairman	✓	
Senator Chet Blaylock	✓	
Senator Mark Etchart		✓
Senator Frank Hazelbaker	✓	
Senator John Mehrens	✓	
Senator Bill Norman	✓	
Senator S. A. Olson	✓	

Senator Bill Norman

Senator S. A. Olson

Mary Anne Choquette
Secretary

Robert E. Lee
Chairman

Motion: Senator Smith Moved That HB 418
And As So Amended Be Concurred In
Motion Carried with Senator Etchart
opposed.

(include enough information on motion--put with yellow copy of committee report.)

HOUSE BILL NO. 418

INTRODUCED BY MULAR, KELLY, JOHNSON, QUILICI, LYNCH

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 66-2812, R.C.M. 1947, TO CLARIFY THE EXEMPTIONS TO COVERAGE OF THE ACT PERTAINING TO REGULARLY EMPLOYED MAINTENANCE ELECTRICIANS AND INDIVIDUALS DOING ELECTRICAL WORK ON THEIR OWN PROPERTY."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 66-2812, R.C.M. 1947, is amended to read as follows:

"66-2812. Exemptions. ~~{a}~~ (1) Nothing--in--this--act shall--be--deemed--to--apply--to--the--installation,--alteration--or--repair--of--electrical--signal--or--communications--equipment owned--or--operated--by--a--public--utility--or--a--city. NOTHING IN THIS CHAPTER SHALL BE DEEMED TO APPLY TO THE INSTALLATION, ALTERATION OR REPAIR OF ELECTRICAL SIGNAL OR COMMUNICATIONS EQUIPMENT OWNED OR OPERATED BY A PUBLIC UTILITY OR A CITY.

The licensing or inspection provisions of this act shall DO not apply ~~to--persons--making--electrical--installations--on their--own--property--or~~ to regularly employed maintenance electricians working doing maintenance work on the business premises of their employer ~~or--to--regularly--employed maintenance-electricians~~ NOR DO THEY APPLY TO LINE WORK ON

THE BUSINESS PREMISES OF THE EMPLOYER OR TO ORDINARY AND CUSTOMARY IN-PLANT OR ON-SITE INSTALLATIONS, MODIFICATIONS, ADDITIONS, OR REPAIRS.

~~{b}~~ (2) Nothing in ~~the--article~~ this chapter shall be construed to require ~~any an~~ individual to hold a license ~~before~~ OR--HAVE-AN-INSPECTION while OR FOR doing electrical work on his own property or residence, provided that said property or residence is maintained for his own use.

~~{c}~~ Any person may work as an apprentice to a licensed electrician--but--shall--not--do--any--electrical--wiring--for--or--installation--of--electrical--apparatus--or--equipment--for--light, heat, or power, except with and under the direct supervision of a licensed electrician.

~~{d}~~ (3) An individual, firm, copartnership, or corporation may engage in business as an electrical contractor without an electrician's license if all electrical work performed by such individual, firm, copartnership, or corporation is under the direction, and control, and supervision of a licensed master electrician.

~~{e}~~ (4) Any person who plugs in an electrical appliance where approved electrical outlet is already installed shall not be considered as an installer.

~~{f}~~ (5) No provisions of this ~~article~~ act CHAPTER shall in any manner interfere with, hamper, preclude or prohibit any vendor of any electrical appliance, from selling,

1 delivering and connecting any electrical appliance, if the
2 connection ~~of--said--appliance~~ does not necessitate the
3 installation of electrical wiring of the structure where
4 ~~said~~ the appliance is to be connected."

-End-